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HOUSE BILL 419

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Al Park

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR PROVISIONS TO ALLOW A  
VOTER TO REQUEST THAT AN ABSENTEE BALLOT BE SENT TO THE VOTER  
AUTOMATICALLY FOR ALL ELECTIONS HELD PURSUANT TO THE ELECTION  
CODE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Election Code is enacted  
to read:

"[NEW MATERIAL] ABSENTEE BALLOT APPLICATION--PERMANENT  
ABSENTEE VOTER LIST.--

A. A voter may request to be included on a  
permanent list of voters to receive an absentee ballot for all  
elections held pursuant to the Election Code. The county clerk  
of each county shall maintain a permanent absentee voter list.

B. In order to be included on the permanent

1 absentee voter list, the voter shall make a written request  
2 specifically requesting that the voter's name be added to the  
3 permanent absentee voter list for all elections conducted  
4 pursuant to the Election Code in which the applicant is  
5 eligible to vote. The application shall allow for the voter to  
6 provide the voter's name, residence address, mailing address,  
7 date of birth and signature.

8 C. On the first day of absentee voting, the county  
9 clerk shall mail an absentee ballot to all eligible voters  
10 included on the permanent absentee voter list. If the voter  
11 has not notified the election officer within forty-five days  
12 before an election that the voter does not wish to receive an  
13 absentee ballot by mail for the election, the ballot shall  
14 automatically be scheduled for mailing.

15 D. After a voter has requested to be included on  
16 the permanent absentee voter list, the voter shall be sent an  
17 absentee ballot by mail automatically for any election at which  
18 a voter at that residence address is eligible to vote until any  
19 of the following occurs:

20 (1) the voter requests in writing to be  
21 removed from the permanent absentee voter list;

22 (2) the voter's registration or eligibility  
23 for registration is moved to inactive status or canceled as  
24 otherwise provided by law; or

25 (3) the absentee ballot sent by the county

underscoring material = new  
[bracketed material] = delete

1 clerk is returned undeliverable.

2 E. A voter's failure to vote an absentee ballot  
3 once received does not constitute grounds to remove the voter  
4 from the permanent absentee voter list."

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